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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,711	12/12/2001	Jennifer June Brown	ENZ-57 (CIP) (C)	4374
28171	7590	03/18/2009	EXAMINER	
ENZO BIOCHEM, INC. 527 MADISON AVENUE (9TH FLOOR) NEW YORK, NY 10022			ART UNIT	PAPER NUMBER

DATE MAILED: 03/18/2009

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10042711	12/12/01	BROWN ET AL.	ENZ-57 (CIP) (C)

ENZO BIOCHEM, INC.  
527 MADISON AVENUE (9TH FLOOR)  
NEW YORK, NY 10022

EXAMINER

Anne-Marie Falk, Ph.D.

ART UNIT      PAPER

1632      200903

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on December 23, 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

In the Office Action of June 24, 2008, at page 11, Applicants are advised that a complete reply to the final rejection must include cancellation of the nonelected claims. The nonelected inventions are not eligible for rejoinder. Accordingly, the reply is incomplete. See 37 CFR 1.111.

Appropriate correction is required.

Since the above mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a). In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne-Marie Falk, Ph.D. whose telephone number is (571) 272-0728. The examiner can normally be reached Monday through Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Paras, can be reached on (571) 272-4517. The central official fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

/Anne-Marie Falk/  
Anne-Marie Falk, Ph.D.  
Primary Examiner, Art Unit: 1632

<b>Request for Continued Examination (RCE) Transmittal</b>		Application Number <b>10/042,711</b>
Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		Filing Date <b>12/12/2001</b>
		First Named Inventor <b>Jennifer Brown</b>
		Art Unit <b>1632</b>
		Examiner Name <b>Anne Marie Falk</b>
		Attorney Docket Number <b>5795-083977 (ENZ-57 (CIP)(C))</b>

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ii.  Other \_\_\_\_\_
  - b.  Enclosed
    - i.  Amendment/Reply \_\_\_\_\_
    - ii.  Affidavit(s)/Declaration(s) \_\_\_\_\_
    - iii.  Information Disclosure Statement (IDS) \_\_\_\_\_
    - iv.  Other \_\_\_\_\_
2. **Miscellaneous**
  - a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - b.  Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - a.  The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 23-0650
    - i.  RCE fee required under 37 CFR 1.17(e)
    - ii.  Extension of time fee (37 CFR 1.136 and 1.17)
    - iii.  Other \_\_\_\_\_
  - b.  Check in the amount of \$ \_\_\_\_\_ enclosed
  - c.  Payment by credit card

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>			
Signature	<u>Kellie L. Carden</u>	Date	December 23, 2008
Name (Print/Type)	Kellie L. Carden	Registration No.	52,696

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or electronically transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Signature	<u>Sharon L. Haney</u>	Date	December 23, 2008
Name (Print/Type)	Sharon L. Haney	Registration No.	52,696